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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,003	07/28/2000	Kaname Nihei	0905-0242P-SP	3113
2292	7590	10/05/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			AGGARWAL, YOGESH K	
PO BOX 747			ART UNIT	
FALLS CHURCH, VA 22040-0747			PAPER NUMBER	

2615

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/628,003	NIHEI, KANAME	
	Examiner	Art Unit	
	Yogesh K. Aggarwal	2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 07/11/2005 have been fully considered but they are not persuasive.

Examiner's response:

2. Applicant argues with regards to claims 1, 3 and 7 that Ito does not teach or suggest, giving notification that input/output of an image by the input/output unit connected to said input/output interface is possible when the use verification command has been applied from said command input unit and said determination unit has determined that the input/output unit has been connected, and for getting notification that an input/output unit can be connected to said input/output interface once a determination unit has determined that the input/output unit has not been connected. **The Examiner respectfully disagrees.** Ito teaches a coin detector 19 that detects a coin and sends a coin insertion signal to the system control unit 16 (col. 12 lines 7-9, figure 25 step S1) and is read as use verification command being applied from said command input unit. Ito further teaches that after the coin insertion signal is sent and power supply is started to each unit (S2), an external terminal connection detector 82 (figure 24) detects whether or not the video input is connected to the external video terminal 80 (step S81, figure 25, col. 12 lines 9-14). If the external terminal is connected (step S81), the changeover switch 81 is connected to the external video input terminal 80 and if the external terminal is not connected at step S81, the switch is changed to the video camera 11 and therefore reads on the claimed limitation "giving notification that input/output of an image by the input/output unit connected to said input/output interface is possible when the use verification command has been applied from said command input unit and said determination unit has determined that the input/output unit

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has been connected". Ito also teaches providing a synchronizing signal detector (figure 26, element 83) to issue a detection signal if it detects a synchronizing signal for the input video signal at the external video input terminal 80, so that the system control unit 16 can control the switch 81 to be changed to the side of the external video terminal 80 upon receiving the detection signal from the synchronizing signal detector 83 (col. 12 lines 42-50). This further reinforces Examiner's position that once the notification regarding input/output of an image by the input/output unit connected to said input/output interface is possible when the use verification command has been applied from said command input unit and said determination unit has determined that the input/output unit has been connected. Finally Ito teaches that instead of having an external video input terminal 80, images recorded on a video tape can be printed by providing a video tape deck (col. 12 lines 51-53) which clearly shows the intent of Ito is to have a photo-booth system that can print not only images picked up by a photo-booth but also from any other portable image input/output system in order to have a system whose utilization range can easily be extended by just connecting a video tape deck to the photo-booth as clearly taught by Ito (col. 12 lines 54-56, Applicant's specification also discloses the same motivation for having a detachable scanner to be connected to the photo-booth system via a hot-pluggable USB interface) signal. Hoyt has been used for a broad teaching that provides for visual instructions on the use and operation of photo-booths by providing an attract loop so that notification could be given that an external device can be attached when one isn't detected to be attached. Therefore taking the combined teachings of Ito and Hoyt, it would be obvious to one skilled in the art at the time of the invention to have been motivated to have added a notification that an input/output can

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be connected to said input/output interface when said determination unit has determined that the input/output unit has not been connected.

3. Applicant argues regarding the newly added limitations 1, 3, 8 and 9 that Ito does not Ito does not teach or suggest the use of a detachable device that may perform both input and output operations of image data. Thus, Ito does not teach or suggest, a detachable input/output unit that is able to capture said image data and output said image data. The Examiner respectfully disagrees. Ito teaches that instead of having an external video input terminal 80, images recorded on videotape (detachable medium) can be printed by providing a video tape deck (video tape deck having a video tape to store and transfer images is clearly a portable image input/output device, col. 12 lines 51-53).

4. Applicant amendments to the claims 1, 3 and 7 have overcome the 35 USC 112 rejections.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over (USPN 6,529,644 to Ito et al.) in view of (COMPCOM '95 to Hoffman) in further view of (US PG-PUB 20010011262 to Hoyt et al.).

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[Claim 1]

It teaches an image capture system having an image capture unit for capturing image data representing an image (e.g., elements 11-13, 15-17, and 80-82 of Fig. 24), a display unit for displaying the image captured by the image capture unit (e.g., element 14 of Fig. 24), and a recording control unit for executing processing for recording the image data (e.g., elements 16 and 17 of Fig. 24), which has been captured by the image capture unit, from a portable recording medium and processing for recording an image represented by the image data (e.g., the portable recording medium is the recording medium attached to input 80 of Fig. 24; column 11, lines 60-62), which has been captured by the image capture unit, from a visible recording medium (e.g., the visible recording medium is the scene captured by the camera element 11 of Fig. 24 as discussed above), said system comprising

a detachable input/output unit that is able to capture the image data from the portable recording medium (e.g., the video output device connected to the external video input terminal 80 of Fig. 24; column 11, lines 60-62, Also images recorded on videotape (detachable medium) can be printed by providing a video tape deck (video tape deck having a video tape to input images from the detachable video tape and output images to the photo-booth is clearly a detachable portable image input/output device, col. 12 lines 51-53);

an input interface to which the output unit can be connected (element 80 of Figs. 24 and 26);

a command input unit for applying a use verification command which verifies use of the image capture unit (e.g., step S1 of Fig. 25; column 11, line 58 – column 12, line 56);

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a determination unit for determining whether the output unit has been connected to said input interface (e.g., step S81 of Fig. 25); and

a notification unit for giving notification that input of an image by the output unit connected to said input interface is possible when the use verification command has been applied from said command input unit and said determination unit has determined that the output unit has been connected (e.g., notification is given at least in step S82 through the selection of the external video input).

Ito does not explicitly disclose nor preclude that the output unit is hot-pluggable or notification that an input/output unit can be connected to said input/output interface when said determination unit has determined that the input/output unit has not been connected.

It is extremely well known in the art to provide hot-pluggable input/output units such as the IEEE 1394 serial bus as taught by Hoffman in order to provide automatic bus configuration and topology changes so as to eliminate the need for address switches or other intervention to reconfigure the bus and further to enable transportation of both data and power as described in sections 2-4. Examiner notes that Ito discloses that the input interface, element 80, is used to input image data wherein one skilled in the art at the time of the invention would clearly recognize the advantage of using a hot-pluggable interface such as the IEEE 1394 interface with a kiosk so as to enable the connection of various devices, such as external storage for portably storing image data, without the need to restart the kiosk or provide additional means for enabling the use of an external device with a kiosk. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have made Ito's input interface and output unit a IEEE 1394 serial bus interface in order to provide automatic bus configuration and

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topology changes so as to eliminate the need for address switches or other intervention to reconfigure the bus and further to enable transportation of both data and power.

Examiner further notes that it is extremely well known in the art to provide visual instruction on the use and operation of photo-booths or kiosks as taught by Hoyt (paragraphs 0052 and 0056) in order to enable a user to know how to use the photo-booth or kiosk. Examiner further notes that Hoyt discloses an “Attract Loop” to output an audio/video presentation to demonstrate an operation and/or benefits of the present booth to attract or lure customers (paragraph 0056). As such, notification would be given that an external device can be attached when one isn’t detected to be attached. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have added a notification that an input/output unit can be connected to said input/output interface when said determination unit has determined that the input/output unit has not been connected in order to provide visual instructions to the user on how to use Ito’s invention as taught by Hoyt.

[Claim 2]

In regards to claim 2 note step S81 of Fig. 25 is for detection of the insertion of money.

[Claim 3]

In regards to claim 3 see Examiners notes on the rejection of claim 1.

[Claim 4]

In regards to claim 4 Ito provides means for selecting the image data through the use of a shutter button 17a wherein the image data is captured from the image capture unit if no input/output unit is attached and image data is captured from the input/output unit when one is detected to be connected (column 12, lines 5-26).

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[Claim 5]

In regards to claim 5 Ito does not disclose that the notification unit gives notification that an input/output unit can be connected to said input/output interface, regardless of the use verification command given from said command input unit, when said determination unit has determined that the input/output unit has not been connected.

Examiner notes that Hoyt discloses an “Attract Loop” to output an audio/video presentation to demonstrate an operation and/or benefits of the present booth to attract or lure customers (paragraph 0056). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have added an “Attract Loop” in order to demonstrate an operation and/or benefits of the present booth to attract or lure customers. As such, one skilled in the art would recognize the clear benefit of Ito’s invention enabling the input of an external video input device and therefore would also recognize to display this ability when no users are operating the photo-booth, and therefore no input/output unit would be detected, in order to lure customers to the photo-booth.

[Claim 6]

In regards to claim 6 neither Ito nor Hoyt explicitly disclose that the video display of the instructions would display a sentence of notification. One skilled in the art would clearly recognize to display pictorial as well text video information such as a sentence to a user in order to enable a most clear description of the instructions. Official notice is taken. Therefore it would have been obvious to one skilled in the art at the time of the invention to have displayed a sentence of notification in order to enable a most clear description of the instructions.

[Claim 7]

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Ito teaches an image capture system having an image capture unit for capturing image data representing an image (e.g., elements 11-13, 15-17, and 80-82 of Fig. 24), a display unit for displaying the image captured by the image capture unit (e.g., element 14 of Fig. 24), and a recording control unit for executing processing for recording the image data (e.g., elements 16 and 17 of Fig. 24), which has been captured by the image capture unit, from a portable recording medium and processing for recording an image represented by the image data (e.g., the portable recording medium is the recording medium attached to input 80 of Fig. 24; column 11, lines 60-62), which has been captured by the image capture unit, from a visible recording medium (e.g., the visible recording medium is the scene captured by the camera element 11 of Fig. 24 as discussed above), said system comprising:

An input/output unit that is able to capture the image data and output said image data (e.g., elements 12-19, 81, and 82 of Fig. 24 wherein these elements can capture image data from the camera 11, Also images recorded on videotape can be printed by providing a video tape deck (a video tape to input images from the detachable video tape and output images to the photo-booth is clearly a portable image input/output device, col. 12 lines 51-53);

an input interface to which the input/output unit can be connected (element 80 of Fig. 24 wherein the elements discussed above are connected to element 80);

a command input unit for applying a use verification command which verifies use of the image capture unit (e.g., step S1 of Fig. 25; column 11, line 58 – column 12, line 56);

a determination unit for determining whether the portable recording medium has been connected to said input interface (e.g., step S81 of Fig. 25); and

a notification unit for giving notification that input of an image by an output unit connected to said input interface is possible when the use verification command has been applied from said command input unit and said determination unit has determined that the output unit has been connected (e.g., notification is given at least in step S82 through the selection of the external video input).

Ito does not explicitly disclose nor preclude that the input interface is hot-pluggable or notification that an input/output unit can be connected to said input/output interface when said determination unit has determined that the input/output unit has not been connected.

It is extremely well known in the art to provide hot-pluggable input/output interface such as the IEEE 1394 serial bus as taught by Hoffman in order to provide automatic bus configuration and topology changes so as to eliminate the need for address switches or other intervention to reconfigure the bus and further to enable transportation of both data and power as described in sections 2-4. Examiner notes that Ito discloses that the input interface, element 80, is used to input image data wherein one skilled in the art at the time of the invention would clearly recognize the advantage of using a hot-pluggable interface such as the IEEE 1394 interface with a kiosk so as to enable the connection of various devices, such as external storage for portably storing image data, without the need to restart the kiosk or provide additional means for enabling the use of an external device with a kiosk. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have made Ito's input interface and output unit a IEEE 1394 serial bus interface in order to provide automatic bus configuration and topology changes so as to eliminate the need for address switches or other intervention to reconfigure the bus and further to enable transportation of both data and power.

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Examiner further notes that it is extremely well known in the art to provide visual instruction on the use and operation of photo-booths or kiosks as taught by Hoyt (paragraphs 0052 and 0056) in order to enable a user to know how to use the photo-booth or kiosk. Examiner further notes that Hoyt discloses an “Attract Loop” to output an audio/video presentation to demonstrate an operation and/or benefits of the present booth to attract or lure customers (paragraph 0056). As such, notification would be given that an external device can be attached when one isn’t detected to be attached. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have added a notification that an input/output unit can be connected to said input/output interface when said determination unit has determined that the input/output unit has not been connected in order to provide visual instructions to the user on how to use Ito’s invention as taught by Hoyt.

[Claims 8 and 9]

Ito teaches that images recorded on videotape can be printed by providing a video tape deck (a video tape to input images from the detachable video tape and output images to the photo-booth is clearly a portable image input/output device, col. 12 lines 51-53).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K. Aggarwal whose telephone number is (571) 272-7360. The examiner can normally be reached on M-F 9:00AM-5:30PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YKA
October 3, 2005


DAVID L. OMETZ
SUPERVISORY PATENT
EXAMINER